

Errata Sheet

Revised Agenda

Board of Directors Regular Meeting

Wednesday, August 1, 2018

Agenda item #7 Committee Meeting Date Changed from:

COMMITTEE REPORTS

7. Report of the **Technology Implementation Office Steering Committee** Meeting of April 25, 2018

CHAIR: C. Chavez

J. Broadbent/5052

jbroadbent@baaqmd.gov

is being changed to:

7. Report of the **Technology Implementation Office Steering Committee** Meeting of June 21, 2018

CHAIR: C. Chavez

J. Broadbent/5052

jbroadbent@baaqmd.gov

PUBLIC HEARING

The agenda has been reorganized to indicate that Item #15 is a Public Hearing.



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

BOARD OF DIRECTORS REGULAR MEETING REVISED AGENDA

August 1, 2018

A meeting of the Bay Area Air Quality Management District Board of Directors will be held at 9:30 a.m. in the 1st Floor Board Room at the Air District Headquarters, 375 Beale Street, San Francisco, California 94105.

Questions About an Agenda Item

The name, telephone number and e-mail of the appropriate staff Person to contact for additional information or to resolve concerns is listed for each agenda item.

Meeting Procedures

The public meeting of the Air District Board of Directors begins at 9:30 a.m. The Board of Directors generally will consider items in the order listed on the agenda. However, any item may be considered in any order.

After action on any agenda item not requiring a public hearing, the Board may reconsider or amend the item at any time during the meeting.

This meeting will be webcast. To see the webcast, please visit www.baaqmd.gov/bodagendas at the time of the meeting. Closed captioning may contain errors and omissions, and are not certified for their content or form.

Public Comment Procedures

Persons wishing to make public comment must fill out a Public Comment Card indicating their name and the number of the agenda item on which they wish to speak, or that they intend to address the Board on matters not on the Agenda for the meeting.

Public Comment on Non-Agenda Matters, Pursuant to Government Code Section 54954.3 Speakers wishing to address the Board on non-agenda matters will be heard at the end of the agenda, and each will be allowed up to three minutes to address the Board at that time.

Members of the Board may engage only in very brief dialogue regarding non-agenda matters, and may refer issues raised to District staff for handling. In addition, the Chairperson may refer issues raised to appropriate Board Committees to be placed on a future agenda for discussion.

Public Comment on Agenda Items The public may comment on each item on the agenda as the item is taken up. Public Comment Cards for items on the agenda must be submitted in person to the Clerk of the Boards at the location of the meeting and prior to the Board taking up the particular item. Where an item was moved from the Consent Calendar to an Action item, no speaker who has already spoken on that item will be entitled to speak to that item again.

Speakers may speak for up to three minutes on each item on the Agenda. However, the Chairperson or other Board Member presiding at the meeting may limit the public comment for all speakers to fewer than three minutes per speaker, or make other rules to ensure that all speakers have an equal opportunity to be heard. The Chairperson or other Board Member presiding at the meeting may, with the consent of persons representing both sides of an issue, allocate a block of time (not to exceed six minutes) to each side to present their issue.

BOARD OF DIRECTORS REGULAR MEETING REVISED AGENDA

WEDNESDAY
AUGUST 1, 2018
9:30 A.M.

BOARD ROOM
1ST FLOOR

CALL TO ORDER

Chairperson, David Hudson

1. **Opening Comments**
Roll Call
Pledge of Allegiance

The Chair shall call the meeting to order and make opening comments. The Clerk of the Boards shall take roll of the Board members. The Chair shall lead the Pledge of Allegiance.

PUBLIC COMMENT ON NON-AGENDA MATTERS

2. **Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3**

For the first round of public comment on non-agenda matters at the beginning of the agenda, ten persons selected by a drawing by the Clerk of the Boards from among the Public Comment Cards indicating they wish to speak on matters not on the agenda for the meeting will have two minutes each to address the Board on matters not on the agenda. For this first round of public comments on non-agenda matters, all Public Comment Cards must be submitted in person to the Clerk of the Board at the location of the meeting and prior to commencement of the meeting.

CONSENT CALENDAR (ITEMS 3-6)

Staff/Phone (415) 749-

3. Minutes of the Regular Board of Directors Meeting of June 6, 2018

Clerk of the Boards/5073

The Board of Directors will consider approving the draft minutes of the Board of Directors Meeting of June 6, 2018.

4. Board Communications Received from June 6, 2018 through July 31, 2018

J. Broadbent/5052
jbroadbent@baaqmd.gov

A copy of communications directed to the Board of Directors received by the Air District from June 6, 2018 through July 31, 2018, if any, will be at each Board Member's place.

5. Air District Personnel on Out-of-State Business Travel

J. Broadbent/5052
jbroadbent@baaqmd.gov

In accordance with Section 5.4 (b) of the Air District's Administrative Code, Fiscal Policies and Procedures Section, the Board is hereby notified that the attached memorandum lists Air District personnel who have traveled on out-of-state business in the preceding month.

6. Notices of Violations Issued and Settlements in Excess of \$10,000 in the months of May and June 2018

J. Broadbent/5052
jbroadbent@baaqmd.gov

In accordance with Resolution No. 2012-08, the Board of Directors will receive a list of all Notices of Violations issued, and all settlements for amounts in excess of \$10,000 during the months of May and June 2018.

COMMITTEE REPORTS

7. Report of the **Technology Implementation Office Steering Committee** Meeting of June 21, 2018

CHAIR: C. Chavez

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Committee received the following reports:

A) Clean Cars for All: New Incentives Program for Low Income Consumers

1) None; receive and file.

B) Mission and Customer Discovery

1) None; receive and file.

C) Proposed Loan Partnership

1) None; receive and file.

D) Update on Technology Assessment Rules

1) None; receive and file.

For the full Committee agenda packet and materials, click on the link below:

www.baaqmd.gov/bodagendas

8. Report of the **Personnel Committee** Meeting of July 12, 2018

CHAIR: J. Spering

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Committee received the following reports:

A) Consider Reappointment of the Incumbent to the Air District's Hearing Board; Conduct Interviews; and Consider Recommending Board of Directors Approval of Candidates for Appointment to the Air District's Hearing Board

- 1) *Consider reappointment of the incumbent to the Air District's Hearing Board. Conduct interviews and consider recommending Board of Directors approval of candidates for appointment to the Air District's Hearing Board.*

For the full Committee agenda packet and materials, click on the link below:

www.baaqmd.gov/bodagendas

9. Report of the **Advisory Council** Meeting of July 19, 2018

BOARD LIAISON: R. Sinks

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Committee received the following reports:

A) Introduction of New Members to the Air District's Advisory Council

- 1) *None; receive and file.*

B) Update on Assembly Bill 617 (AB 617)

- 1) *None; receive and file.*

C) Health Impacts and Assessments of Diesel Particulate Matter in the Bay Area

- 1) *None; receive and file.*

D) Update on the Air District's Diesel Particulate Matter Emissions Reduction Strategy

- 1) *The Advisory Council will consider providing input to the Air District Board of Directors in support of voluntary diesel emissions reduction efforts.*

For the full Committee agenda packet and materials, click on the link below:

www.baaqmd.gov/ADVagendas

10. Report of the **Executive Committee Meeting of July 23, 2018**

CHAIR: D. Hudson

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Committee received the following reports:

A) Hearing Board Quarterly Report: April – June 2018

- 1) None; receive and file.*

B) Recommended Assembly Bill (AB) 617 Communities for Community Plans

- 1) Recommend Board of Directors approve staff recommendations for community air monitoring and community emission reduction plans under the state's Community Air Protection Program.*

C) Update on the Governor's Global Climate Action Summit

- 1) Seek support from their jurisdictions for the Diesel Free by '33 Statement of Purpose and encourage signatures from Mayor's both within and outside the Bay Area; and*
2) Encourage participation from cities, counties and businesses Request at the Climate Technology Showcase event.

D) Technology Implementation Office Update and Summary of Steering Committee Meeting

- 1) Authorize the Executive Officer/APCO to negotiate and execute an agreement with the IBank not to exceed \$4,185,000 to fund a loan program for Bay Area industrial facilities.*

E) Status Update on the Air District's Advisory Council

- 1) None; receive and file.*

F) Amendments to Air District Administrative Code Addressing Resolutions

- 1) Recommend Board of Directors consideration and approval of language amending the Air District's Administrative Code to address introduction and amendment of resolutions to be adopted by the Board of Directors. If approved by the Committee, in accordance with the Air District's Administrative Code, language amending the Administrative Code will be noticed in an upcoming Board of Directors meeting agenda, and placed on the Agenda for adoption at a subsequent meeting.*

G) Discussion of Procedures for Receiving Public Comment on Non-Agenda Topics

- 1) The Committee will discuss procedures for receiving public comment on topics not included in an item on a posted agenda.*

For the full Committee agenda packet and materials, click on the link below:

www.baaqmd.gov/bodagendas

11. Report of the **Ad Hoc Refinery Oversight Committee** Meeting of July 25, 2018
CHAIR: C. Chavez J. Broadbent/5052
jbroadbent@baaqmd.gov

The Committee received the following reports:

A) Trends in Crude Oil Imports, Petroleum Refining, Crude Oil Transportation and an Outlook for Future Petroleum Markets

1) None; receive and file.

B) Issues and Concerns Regarding Future Refinery Crude Slates

1) None; receive and file.

C) The Legal Framework for the Air District

1) None; receive and file.

For the full Committee agenda packet and materials, click on the link below:
www.baaqmd.gov/bodagendas

12. Report of the **Mobile Source Committee** Meeting of July 26, 2018
CHAIR: S. Haggerty J. Broadbent/5052
jbroadbent@baaqmd.gov

The Committee received the following reports:

A) Projects and Contracts with Proposed Grant Awards Over \$100,000 and a Request for a Waiver for Fiscal Year Ending 2018 Transportation Fund for Clean Air Regional Fund Policies from the Town of Los Gatos

- 1) Approve Carl Moyer Program and Transportation Fund for Clean Air (TFCA) projects with proposed grant awards over \$100,000 as shown in Attachment 1;*
- 2) Approve a policy waiver to allow the Town of Los Gatos to be eligible for funding from the Fiscal Year Ending 2018 TFCA Regional Fund for a bikeway improvement project that will upgrade an existing Class II bicycle lane to a separated Class IV bikeway; and*
- 3) Authorize the Executive Officer/APCO to enter into all necessary agreements with applicants for the recommended projects.*

B) Approval of Contract for Clean Cars for All Program Case Managers

- 1) Authorize the Executive Officer/APCO to execute a contract with GRID Alternatives at a cost not to exceed \$250,000 for services performed in Fiscal Year Ending (FYE) 2018 and FYE 2019.*

C) New Grant Program Revenues and Request to Increase Staffing in the Strategic Incentives Division

- 1) *Authorize the Bay Area Air Quality Management District (Air District) to accept, amend the Fiscal Year Ending 2019 budget to account for new funding, obligate, and expend up to:*
 - A) *\$130 million in funding from the Volkswagen Environmental Mitigation Trust (VW Trust); and*
 - B) *\$1,160,311 in funding from the United States Environmental Protection Agency.*
- 2) *Authorize the Executive Officer/APCO to enter into all agreements necessary to accept, obligate, and expend this funding; and*
- 3) *Authorize the creation of eight (8) additional full-time equivalent (FTE) positions in the Strategic Incentives and Compliance and Enforcement Divisions and Finance Section.*

For the full Committee agenda packet and materials, click on the link below:

www.baaqmd.gov/bodagendas

13. Report of the **Stationary Source Committee** Meeting of July 30, 2018

CHAIR: J. Gioia

J. Broadbent/5052

jbroadbent@baaqmd.gov

The Committee will receive the following reports:

A) Air Pollution Complaint Process Overview

- 1) *None; receive and file.*

B) Overview of Regulation 7: Odorous Substances Rule Amendment Concepts

- 1) *None; receive and file.*

C) Update on Implementation of AB 617 Community Air Protection

- 1) *None; receive and file.*

For the full Committee agenda packet and materials, click on the link below:

www.baaqmd.gov/bodagendas

14. Report of the **Ad Hoc Building Oversight Committee** Meeting of August 1, 2018
CHAIR: M. Ross J. Broadbent/5052
jbroadbent@baaqmd.gov

The Committee will receive the following reports:

A) CONFERENCE WITH REAL PROPERTY NEGOTIATOR – (Government Code Section 54956.8) *The Committee will meet in closed session pursuant to Government Code Section 54956.8 to confer with real property negotiators to discuss acquisition of real property.*

Property: 4102, 4104, 4108, 4114, 4124 Lakeside Drive, Richmond, CA 94806

Air District Negotiators: Jack P. Broadbent, Executive Officer/APCO
Rex Sanders, Chief Administrative Officer

Negotiating Parties: Bay City Mechanical

Under Negotiation: Price and Terms

For the full Committee agenda packet and materials, click on the link below:
www.baaqmd.gov/bodagendas

PUBLIC HEARING

15. Recommended Assembly Bill (AB) 617 Communities for Community Plans
J. Broadbent/5052
jbroadbent@baaqmd.gov

The Board of Directors will consider approving staff recommendation for community air monitoring and community emission reduction plans under the State's Community Air Protection Program.

16. Public Hearing to Consider Adoption of Proposed Regulation 6, Particulate Matter - Common Definitions and Test Methods; Proposed Amendments to Regulation 6, Particulate Matter, Rule 1: General Requirements; Proposed Regulation 6, Particulate Matter, Rule 6: Prohibition of Trackout; and Approval of a CEQA, Negative Declaration

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Board of Directors will consider adopting proposed new Regulation 6: Common Definitions and Test Methods, proposed amendments to Regulation 6, Rule 1: General Requirements, new Regulation 6, Rule 6: Prohibition of Trackout, Adopt proposed amendments to Volume 1: Enforcement Procedures, Part 1: Assessment of Visible Emissions Opacity, and the adoption of a Negative Declaration pursuant to the California Environmental Quality Act (CEQA).

CLOSED SESSION

A) CONFERENCE WITH REAL PROPERTY NEGOTIATOR – *(Government Code Section 54956.8) The Board will meet in closed session pursuant to Government Code Section 54956.8 to confer with real property negotiators to discuss acquisition of real property.*

Property: 4102, 4104, 4108, 4114, 4124 Lakeside Drive, Richmond, CA 94806

Air District Negotiators: Jack P. Broadbent, Executive Officer/APCO
Rex Sanders, Chief Administrative Officer

Negotiating Parties: Bay City Mechanical

Under Negotiation: Price and Terms

OPEN SESSION

PUBLIC COMMENT ON NON-AGENDA MATTERS

17. Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3

Speakers who did not have the opportunity to address the Board in the first round of comments on non-agenda matters will be allowed two minutes each to address the Board on non-agenda matters.

BOARD MEMBERS' COMMENTS

18. *Any member of the Board, or its staff, on his or her own initiative or in response to questions posed by the public, may: ask a question for clarification, make a brief announcement or report on his or her own activities, provide a reference to staff regarding factual information, request staff to report back at a subsequent meeting concerning any matter or take action to direct staff to place a matter of business on a future agenda. (Gov't Code § 54954.2)*

OTHER BUSINESS

19. Report of the Executive Officer/APCO

20. Chairperson's Report

21. Time and Place of Next Meeting:

Wednesday, September 5, 2018, at 375 Beale Street, San Francisco, CA 94105 at 9:30 a.m.

22. Adjournment

The Board meeting shall be adjourned by the Board Chair.

CONTACT:

MANAGER, EXECUTIVE OPERATIONS
375 BEALE STREET, SAN FRANCISCO, CA 94105
vjohnson@baaqmd.gov

(415) 749-4941
FAX: (415) 928-8560
BAAQMD homepage:
www.baaqmd.gov

- To submit written comments on an agenda item in advance of the meeting. Please note that all correspondence must be addressed to the “Members of the Board of Directors” and received at least 24 hours prior, excluding weekends and holidays, in order to be presented at that Board meeting. Any correspondence received after that time will be presented to the Board at the following meeting.
- To request, in advance of the meeting, to be placed on the list to testify on an agenda item.
- Any writing relating to an open session item on this Agenda that is distributed to all, or a majority of all, members of the body to which this Agenda relates shall be made available at the District’s offices at 375 Beale Street, Suite 600, San Francisco, CA 94105, at the time such writing is made available to all, or a majority of all, members of that body.

Accessibility and Non-Discrimination Policy

The Bay Area Air Quality Management District (Air District) does not discriminate on the basis of race, national origin, ethnic group identification, ancestry, religion, age, sex, sexual orientation, gender identity, gender expression, color, genetic information, medical condition, or mental or physical disability, or any other attribute or belief protected by law.

It is the Air District’s policy to provide fair and equal access to the benefits of a program or activity administered by Air District. The Air District will not tolerate discrimination against any person(s) seeking to participate in, or receive the benefits of, any program or activity offered or conducted by the Air District. Members of the public who believe they or others were unlawfully denied full and equal access to an Air District program or activity may file a discrimination complaint under this policy. This non-discrimination policy also applies to other people or entities affiliated with Air District, including contractors or grantees that the Air District utilizes to provide benefits and services to members of the public.

Auxiliary aids and services including, for example, qualified interpreters and/or listening devices, to individuals who are deaf or hard of hearing, and to other individuals as necessary to ensure effective communication or an equal opportunity to participate fully in the benefits, activities, programs and services will be provided by the Air District in a timely manner and in such a way as to protect the privacy and independence of the individual. Please contact the Non-Discrimination Coordinator identified below at least three days in advance of a meeting so that arrangements can be made accordingly.

If you believe discrimination has occurred with respect to an Air District program or activity, you may contact the Non-Discrimination Coordinator identified below or visit our website at www.baaqmd.gov/accessibility to learn how and where to file a complaint of discrimination.

Questions regarding this Policy should be directed to the Air District’s Non-Discrimination Coordinator, Rex Sanders, at (415) 749-4951 or by email at rsanders@baaqmd.gov.